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JUDGE GROTTI

07 CV 11375

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
FAR EASTERN SHIPPING CO.,

Plaintiff,

-against-

PROGRESS BULK CARRIERS, LTD.,

Defendant.
-----X

**AFFIRMATION IN SUPPORT
OF MOTION FOR APPOINTMENT
OF PROCESS SERVER**

I, **SIMON HARTER**, make this declaration pursuant to 28 U.S.C. §1746 in support of Plaintiff's Motion for Appointment of Process Server pursuant to Fed.R.Civ.P. 4(c).

1. I am a member of the law firm of Law Offices of Simon Harter, Esq., Attorneys for Plaintiff herein, and a member of the Bar of this Court.

2. I respectfully request that the Court appoint Gerald Weathers, or any other person appointed by Law Offices of Simon Harter, Esq., who is over 18 years of age, and is not a party to this action, to service Process of Maritime Attachment and Garnishment in this matter.

3. I understand that there is a manpower shortage in the office of the U.S. Marshal and of the inability of that office to effect service of process on a few hours notice.

4. In view of the deficiency of manpower in the U.S Marshal's office, and the necessity of immediate service of process in this matter, it is respectfully requested that Gerald Weathers, or any other person appointed by Law Offices of Simon Harter, Esq., be appointed to effect such service. Such appointment will result in a substantial saving of travel fees and other fees to the U.S. Marshal.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 18, 2007
New York, New York



SIMON HARTER (SH-8540)